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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/511,817	10/19/2004	Andre F.L. Goossens	PC10423US	6522
23122	7590	03/21/2006	EXAMINER	
RATNERPRESTIA P O BOX 980 VALLEY FORGE, PA 19482-0980			ROST, ANDREW J	
			ART UNIT	PAPER NUMBER

3751

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/511,817	<b>Applicant(s)</b> GOOSSENS ET AL.	
	<b>Examiner</b> Andrew J. Rost	<b>Art Unit</b> 3751	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 October 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 11-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/19/2004</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is in response to a Preliminary Amendment filed on 10/19/2004.

Claims 1-10 have been cancelled. Claims 11-25 have been added. No claims have been amended. Presently, claims 11-25 are pending.

### ***Specification***

2. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

#### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or  
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (f) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if

the required "Sequence Listing" is not submitted as an electronic document on compact disc).

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 13-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A broad range or limitation together with a narrow range or limitation that falls within the broad range or limitation (in the same claim) is considered indefinite, since the resulting claim does not clearly set forth the metes and bounds of the patent protection desired. See MPEP § 2173.05(c). Note the explanation given by the Board of Patent Appeals and Interferences in *Ex parte Wu*, 10 USPQ2d 2031, 2033 (Bd. Pat. App. & Inter. 1989), as to where broad language is followed by "such as" and then narrow language. The Board stated that this can render a claim indefinite by raising a question or doubt as to whether the feature introduced by such language is (a) merely exemplary of the remainder of the claim, and therefore not required, or (b) a required feature of the claims. Note also, for example, the decisions of *Ex parte Steigewald*, 131 USPQ 74 (Bd. App. 1961); *Ex parte Hall*, 83 USPQ 38 (Bd. App. 1948); and *Ex parte Hasche*, 86 USPQ 481 (Bd. App. 1949). In the present instance, claims 13 and 14 recite the broad recitation a many-sided profile, and the claim also recites a triangular profile which is the narrower statement of the range/limitation.

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Regarding claims 23-25, it appears that the applicant is trying to claim method steps in apparatus claims. It is not clear what structural limitation is being claimed.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 11, 12 and 23-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Rembold et al. (6,679,475).

Regarding claim 11, Rembold et al. disclose a solenoid valve containing a valve housing (40) with fluid channels (inlet 44 and outlet 46) in which a tappet (66) is directed to a valve seat (50) with a valve closure member (ball valve 52), a magnet armature (70) is fitted to the tappet and is moved via magnetic forces from a magnetic coil (99) and is moved in a direction of a magnet core (core 74 and adjusting screw 90) with a spring (86) interacting between the core and the tappet that biases the tappet to a closed position.

In regards to claim 12, Rembold et al. disclose the tappet is held in a bore of the magnetic armature by frictional means (press fitting).

In regards to claims 23-25, Rembold et al. disclose a screw in the magnet core that is threaded and can be tightened to allow for the adjustment of the preload force of the spring. The screw having threads interacting with the threads in a stepped bore of the magnet core create a force holding the pieces together forming a single core piece for operation of the valve. A force is created and places a force (weight) on the spring to preload the spring.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rembold et al. in view of Losser et al. (4,712,767).

In regards to claims 13 and 14, Rembold et al. disclose a solenoid valve having a housing, tappet, magnetic armature, magnetic core and a spring. Rembold et al. do not disclose the use of many-sided profile tappet in contact with the bore of the magnetic armature. However, Losser et al. teach a tappet having triangular sides in a channel to allow fluid to flow around the tappet in a solenoid valve to be old in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to add channels on the sides of the tappet of Rembold et al. to create a triangular profile as taught by Losser et al. in order to facilitate fluid flow around the tappet.

In regards to claims 15 and 16, the modified Rembold et al. reference discloses a step on the tappet that receives an end of the spring (valve tappet 66 has a spring holder 82 that has a head 84 that the spring contacts).

In regards to claims 17 and 18, the modified Rembold et al. reference discloses a guiding pin (88) that is received inside the spring.

In regards to claims 19 and 20, the modified Rembold et al. reference discloses a transition area on the tappet that is adjacent to the step (the transition area is the outer surface of the guiding pin of the tappet).

9. Claims 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Rembold et al. reference as applied to claims 13-20 above, and further in view of Krawczyk et al. (6,994,406).

The modified Rembold et al. reference discloses a solenoid valve having a housing, a tappet with a guiding pin and transition area, a spring, a magnet armature, and a magnet core. The modified Rembold et al. reference does not disclose the transition area having an annular groove for receiving the spring. However, Krawczyk et al. teach the use of an annular groove on a guide pin that is inserted into a spring in a solenoid valve (Fig. 5 of Krawczyk et al.) to be old in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to add a groove as taught by Krawczyk et al. to the guiding pin of the modified Rembold et al. reference in order to secure the spring to the guiding pin.

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Schell (2,574,762) discloses a solenoid valve with a tappet having longitudinal grooves. Otsuki et al. (4,453,700) disclose a magnetic valve having a tappet with a guiding pin that is received in a spring. Cummins (4,765,587) discloses a solenoid valve with a tappet having a guiding pin received in a spring. Waryu et al. (5,261,610) disclose a solenoid valve having a movable magnet armature with a tappet that is biased closed by a spring. Schmid (5,496,100) discloses a solenoid valve having a tappet with a guiding pin and a spring. Bareiss et al. (5,711,583) disclose a solenoid valve having a magnet core and a magnet armature. Eith et al. (5,810,330) disclose a solenoid valve with a magnet core and a magnet armature. Rapp et al. (6,062,531) disclose a solenoid valve having a tappet with a guiding pin that is received in a spring. Ricco et al. (6,619,617) disclose a solenoid valve having a tappet with a guiding pin that is received in a spring.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew J. Rost whose telephone number is 571-272-2711. The examiner can normally be reached on 7:30-5 M-Th and 7:30-5 every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Justine Yu can be reached on 571-272-4835. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Andrew J Rost  
Examiner  
Art Unit 3751



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3/17/06